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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,464	06/22/2000	Koji Yamamoto	44084-431	8713

7590 03/11/2004

McDermott Will & Emery
600 13th Street N W
Washington, DC 20005

EXAMINER

HO, TUAN V

ART UNIT	PAPER NUMBER
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2612

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DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/598,464

Applicant(s)

YAMAMOTO ET AL.

Examiner

TUAN HO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4 and 8 is/are allowed.
- 6) ☒ Claim(s) 1,5,7 and 9 is/are rejected.
- 7) ☒ Claim(s) 2,3 and 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3, 5, 6</u> . | 6) <input type="checkbox"/> Other: ____ |

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1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5, 7, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by McIntyre (US 5,917,548).

With regard to claim 1, McIntyre discloses a digital camera having a printer in Fig. 2, that comprises the moving member (display device 38 is moved between a shooting position, Fig. 2, and a storage position, Fig. 3, col. 3, line 61; where in the shooting position, the display is used to display images to be taken by a user and in the storage position, the display device is used to print an image, col. 3, lines 54-66), selector for selecting a printing operation to be performed (logic and control unit 32 is controlled by a user so as to print an image from display device 38, col. 3, line 7-24 and col. 4, lines 49-64), and controller for bringing the moving member into the out-

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of-use position (a user signals to logic and control unit 32 to move display device 38 from a view position for shooting to a storage position for printing; thus, a controller is inherently included in the camera system of McIntyre so as to move the display device, col. 3, lines 16-23, Figs, 2-4).

With regard to claim 5, McIntyre discloses a digital camera having a printer in Fig. 2, that comprises the storage position to a protruded position (display device 38 is moved from a storage position for printing to a view position for shooting pictures; where in the view position, the display device is protruded from the camera housing as shown in Figs. 2 and 4).

With regard to claim 7, method claim 7 corresponds to apparatus claim 1 and is analyzed the same as discussed with respect to apparatus claim 1.

With regard to claim 9, claim 9 corresponds to apparatus claim 5 and is analyzed the same as discussed with respect to apparatus claim 5.

3. Claims 2, 3, 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 4 and 8 are allowed.

The prior art of record fails to suggest or disclose:

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With regard to claim 4, a digital camera having a printing function comprising a lens cover for moving from an in-use-position to an out-of-use position to perform a shooting operation; selector for selecting; and a controller for driving the lens cover to the in-use position in which a shooting lens is cover therewith in response to the selection of the printing operation.

With regard to claim 4, a method controlling a digital camera having a printing function comprising the steps of moving a lens cover from an in-use-position to an out-of-use position to perform a shooting operation; selecting a printing operation; and driving the lens cover to the in-use position in which a shooting lens is cover therewith in response to the selection of the printing operation.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McIntyre et al discloses an electronic camera including a display and a printer; where the display can be moved from a view position to a storage position.

Suzuki cited by Applicants discloses an electronic camera that comprises an inject printer; where if a printing button is pressed, then the electric charging a capacitor of the strobe is made after the completion of the printing operation.

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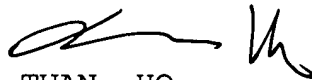
Nagasaki et al discloses an electronic camera incorporated a printer.

Hirai discloses a camera that includes a printer.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN HO whose telephone number is (703) 305-4943. The examiner can normally be reached on Mon-Fri from 7AM to 4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WENDY GARBER, can be reached on (703) 305-4924. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.


TUAN HO

Primary Examiner

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